

Message Text

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C O N F I D E N T I A L SECTION 1 OF 3 BRASILIA 0863

E.O. 11652: GDS
TAGS: SREF, PINT, BR, AR
SUBJECT: REFUGEES IN BRAZIL: REQUEST FROM UNHCR FOR US PAROLE
PROGRAM

REF: A) 77 STATE 298267, B) BRASILIA 10550

1. SUMMARY. THIS MESSAGE PROVIDES EMBASSY COMMENTS ON UNHCR
REPRESENTATIVE PRIM'S REQUEST FOR A US PAROLE PROGRAM FOR
REFUGEES IN BRAZIL (REFTEL A). THE EVALUATION IS BASED ON
ADDITIONAL CONTACTS REFERRED TO IN REFTEL B.

CONGEN RIO OFFICER SPOKE WITH PRIM IN DECEMBER AND AGAIN
IN MID-JANUARY CONCERNING GOB FULFILLMENT OF ITS OBLIGATIONS
AS AN ASYLUM COUNTRY. IN DECEMBER CONVERSATION, AS REPORTED
REFTEL B, PRIM EMPHASIZED THAT GOB PERFORMANCE WITH UNHCR-
REGISTERED REFUGEES IS SATISFACTORY, HAVING GREATLY IMPROVED
SINCE LAST JULY, BUT THAT HIS OFFICE WAS CONCERNED WITH DIFFI-
CULTIES REPORTEDLY ENCOUNTERED BY UNREGISTERED REFUGEES. IN
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JANUARY MEETING PRIM STATED THAT HIS OFFICE DID NOT KNOW OF
ANY SPECIFIC HARASSMENT AGAINST ARGENTINE REFUGEES IN BRAZIL
NOR OF ANY SPECIFIC CASES OF REFOULEMENT, BUT THAT HE WAS "SURE"
THAT BORDER INCIDENTS HAPPENED DAILY. BASED ON FIGURES
SUPPLIED BY PRIM TO CONGEN OFFICER, UNHCR RESETTLEMENT PROGRAM
APPEARS TO BE MOVING FORWARD WITH CONSIDERABLE DEGREE OF SUCCESS.
PRIM INDICATED, HOWEVER, THAT HE WOULD STILL BE INTERESTED

IN US PAROLE PROGRAM INVOLVING PERHAPS 35 CASES PRESENTLY IN BRAZIL. END SUMMARY.

2. EMBASSY AWARE THAT SOME OF INFORMATION IN THIS MESSAGE MAY HAVE ALREADY REACHED DEPARTMENT DIRECTLY VIA AIDE-MEMOIRE FROM UNHCR REPRESENTATIVE GUY PRIM TO ASSISTANT SECRETARY DERIAN. PRIM RECENTLY PROVIDED COPY OF THIS AIDE-MEMOIRE TO AMCONSULS RIO DE JANEIRO AND SAO PAULO, WHICH FORWARDED IT TO EMBASSY. WE HAVE INCLUDED INFORMATION HERE CONTAINED IN AIDE-MEMOIRE BECAUSE WE ARE UNCERTAIN WHETHER DEPARTMENT HAS IN FACT ALREADY RECEIVED PRIM AIDE-MEMOIRE (HE WAS UNCLEAR AS TO HOW IT WAS BEING FORWARDED TO ASSISTANT SECRETARY DERIAN), BECAUSE IT BEARS DIRECTLY ON QUESTION OF US PAROLE PROGRAM FOR THIRD-COUNTRY REFUGEES IN BRAZIL, AND IN ORDER TO PASS THE INFORMATION ALONG TO INFO RECIPIENTS OF THIS MESSAGE OTHER THAN RIO AND SAO PAULO.

3. UNHCR REPRESENTATIVE PRIM TOLD CONGEN RIO OFFICER IN DECEMBER THAT GOB PERFORMANCE WITH REGARD TO REFUGEES REGISTERED WITH UNHCR AND REPORTED AS SUCH BY NOTE TO ITAMARATY WAS SATISFACTORY, HAVING MARKEDLY IMPROVED SINCE JULY KIDNAPPING CASE REPORTED IN 1977 RIO 4065 AND 4110. PRIM STATED THAT GOB SECURITY OFFICIALS NO LONGER SURVEILLED OR HARASSED IN ANY WAY ARGENTINE REFUGEES REGISTERED WITH UNHCR, BUT THAT HE THOUGHT ARGENTINES IN BRAZIL ILLEGALLY AND NOT REGISTERED AS POLICIAL REFUGEES WERE STILL BEING SUBJECTED TO HARASSMENT OF VARIOUS

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TYPES. HOWEVER, IN JANUARY MEETING WITH SAME CONGENOFF PRIM STATED THAT HE DID NOT KNOW OF ANY SPECIFIC HARASSMENT AGAINST UNREGISTERED ARGENTINE REFUGEES HERE.

4. PRIM ALSO SAID DURING COURSE OF LATTER CONVERSATION THAT HIS OFFICE WAS NOT AWARE OF ANY SPECIFIC CASES OF REFOULEMENT BY GOB ALTHOUGH HE WAS QUOTE SURE UNQUOTE THAT BORDER INCIDENTS HAPPENED DAILY. (COMMENT. WE ASSUME HIS JUDGMENT IS BASED LARGELY ON HEARSAY FROM OTHER REFUGEES ALTHOUGH PRIM AIDE-MEMOIRE MENTIONS THAT A FEW CASES HAVE BEEN REPORTED IN THE PRESS. END COMMENT.) HE ADDED THAT UNHCR HAD REQUESTED VARIOUS LATIN AMERICAN GOVERNMENTS TO NOTIFY LOCAL UNHCR OFFICES WHENEVER POTENTIAL POLITICAL REFUGEES FROM ONE COUNTRY ATTEMPT TO ENTER ANOTHER COUNTRY BUT THAT REQUESTED GOVERNMENTS, INCLUDING GOB, HARDLY EVER COMPLY.

5. PRIM DID SAY THAT BRAZIL, ALONG WITH URUGUAY AND A NUMBER OF OTHER UNSPECIFIED COUNTRIES, IS NOT ADHERING TO THE PROVISIONS OF THE CARACAS CONVENTION ON TERRITORIAL ASYLUM OF 1954. (NOTE. EMBASSY HAS STILL NOT RECEIVED COPIES OF THIS CONVENTION REQUESTED REFTTEL B. END NOTE.) PRIM POINTED OUT THAT CONVENTION WAS ORIGINALLY DESIGNED TO ACCOMMODATE CASES OF

TERRITORIAL OR DIPLOMATIC ASYLUM INVOLVING MEMBERS OF
TRADITIONAL ELITE GROUPS IN LATIN AMERICAN COUNTRIES, HAVING
BEEN DRAWN UP IN RESPONSE TO HAYA DE LA TORRE CASE IN 1950'S,
AFTER LATTER HAD SPENT SOME SIX YEARS IN THE COLOMBIAN EMBASSY
IN LIMA. THOSE ARGENTINES, URUGUAYANS AND OTHERS CURRENTLY

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SEEKING TERRITORIAL ASYLUM IN BRAZIL, ACCORDING TO PRIM, DO
NOT BELONG TO THIS TRADITIONAL ELITE, AND UNHCR WAS CONCERNED
ABOUT A NUMBER OF INCIDENTS WHICH HAD COME TO ITS ATTENTION
WHERE BRAZILIAN AUTHORITIES HAD ALLEGEDLY REFUSED TO ADMIT
ARGENTINES SEEKING TERRITORIAL ASYLUM. PRIM RECENTLY STATED
THAT HE INTENDS TO URGE GOB MORE STRONGLY TO HONOR ITS
OBLIGATIONS AS ANY ASYLUM COUNTRY.

6. PRIM STATED THAT AS OF EARLY JANUARY TWO HUNDRED AND EIGHTY
PERSONS IN BRAZIL WERE ON UNHCR LISTS AS ACCEPTED FOR
PROTECTION, ASSISTANCE AND RESETTLEMENT. HE INDICATED, HOW-
EVER, THAT THE FIGURE WAS NOT PRECISE, AS APPROXIMATELY
ONE HUNDRED PERSONS HAD BEEN ACCEPTED FOR RESETTLEMENT IN
EARLY JANUARY AND WOULD SHORTLY BE LEAVING BRAZIL. PRIM
LATER REVISED THE FIGURE FOR REGISTERED REFUGEES TO ONE
HUNDRED AND SIXTY AS OF JANUARY 23. IN ADDITION, FIFTEEN CASES--
AT AVERAGE OF TWO POINT EIGHT PERSONS PER CASE -- WERE
AWAITING DETERMINATION FOR UNHCR ELIGIBILITY. PRIM SAID

THAT HIS OFFICE RECEIVES FROM SEVEN TO TEN NEW CASES PER WEEK,
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INCLUDING REFERRALS FROM SAO PAULO. HE ESTIMATED TOTAL NUMBER
OF ARGENTINE REFUGEES CURRENTLY IN BRAZIL AS BETWEEN THREE
AND FIVE THOUSAND.

7. PRIM PROVIDED FOLLOWING DATA FOR RESETTLEMENT BY
COUNTRY OF DESTINATION: SINCE PERIOD COVERED IS FROM MAY 1977,
WHEN UNHCR OPERATION IN BRAZIL UNDERTOOK FIRST RESETTLEMENT,
THROUGH DECEMBER 1977, THE NUMBERS HERE ARE SLIGHTLY DIFFERENT
FROM THOSE IN THE AIDE-MEMOIRE, WHICH ONLY COVERED PERIOD
THROUGH NOVEMBER 1977; FIRST FIGURE CITED IS FOR NUMBER OF CASES,
SECOND IS NUMBER OF PERSONS INVOLVED: BELGIUM FIVE/EIGHT;
CANADA THREE/THREE; CZECHOSLOVAKIA ONE/ONE; FRANCE TWENTY-
EIGHT/FORTY-FOUR; FRG FIVE/FOURTEEN; GREECE TWO/TWO; ITALY FIVE/
ELEVEN; MEXICO EIGHT/FIFTEEN; NORWAY ONE/ONE; NETHERLANDS SEVEN/
EIGHTEEN; SPAIN THREE/SIX; SWEDEN THIRTY-FOUR/EIGHTY-EIGHT;
SWITZERLAND FOURTEEN/THIRTY-SIX; VENEZUELA THREE/NINE; USSR
ONE/THREE.

8. FOLLOWING FIGURES REFER TO RESETTLEMENTS BY MONTH: MAY
SEVEN/EIGHTEEN; JUNE TEN/NINETEEN; JULY FIFTEEN/THIRTY; AUGUST
TWELVE/THIRTY-FIVE; SEPTEMBER SIXTEEN/TWENTY-FIVE; OCTOBER
TWENTY-SEVEN/FIFTY-FIVE; NOVEMBER TWENTY-ONE/FORTY-NINE;
DECEMBER ELEVEN/TWENTY-FOUR.

9. PRIM SAID THAT ANOTHER ONE HUNDRED PERSONS -- INCLUDED
IN TWO-HUNDRED AND EIGHTY TOTAL -- HAD BEEN ACCEPTED IN FIRST
WEEK OF JANUARY FOR RESETTLEMENT AS FOLLOWS: FRANCE FIVE;
NETHERLANDS SIXTY-SIX; SWEDEN TWENTY-NINE. ADDITIONALLY,
PROCESSING WAS UNDERWAY FOR RESETTLEMENT OF ANOTHER FORTY TO
BELGIUM, TWELVE TO SWITZERLAND AND EIGHT TO FRANCE. HE INDICATED
HE WOULD STILL APPRECIATE US PAROLE PROGRAM INVOLVING AROUND
THIRTY-FIVE CASES.

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10. FYI. ICEM DIRECTOR JOHN THOMAS TOLD CHARGE IN
DECEMBER THAT ICEM -- WHICH RESETTLES REFUGEES UNDER A CONTRACT
WITH THE UNHCR -- IS MOVING REFUGEES OUT OF BRAZIL AT RATE OF
APPROXIMATELY ONE HUNDRED PERSONS PER MONTH. END FYI.

11. COMMENT: MISSION IS UNAWARE OF GOB PRESSURE ON UNHCR TO
INDUCE US TO ACCEPT THIRD COUNTRY REFUGEES, ALTHOUGH PRIM HAS
IN PAST CONTACTS WITH CONGENOFFS STATED THAT GOB OFFICIALS

HAVE MADE SARCASTIC REFERENCES ABOUT CONTRAST BETWEEN USG'S WILLINGNESS TO RECEIVE POLITICAL REFUGEES AND ITS EXPECTATIONS CONCERNING OTHER COUNTRIES' PERFORMANCE IN THIS AREA. GIVEN UNHCR'S RELATIVE SUCCESS IN RESETTLING REFUGEES -- AS INDICATED BY FIGURES IN PARAS 7, 8 AND 9 -- IT DOES NOT APPEAR TO US AT THIS TIME THAT THERE IS A COMPELLING NEED FOR A US PAROLE PROGRAM FOR REFUGEES CURRENTLY IN BRAZIL. HOWEVER, IN LIGHT OF PRIM'S CONTINUING INTEREST IN SUCH A PROGRAM, EMBASSY WOULD FAVOR ITS ESTABLISHMENT. THE NUMBER OF CASES HE IS PROPOSING IS RELATIVELY SMALL -- FRANCE FOR INSTANCE HAS ALREADY ACCEPTED A LARGER NUMBER -- AND HE HAS OFFERED TO PROVIDE US WITH INFORMATION ON ALL THE INDIVIDUAL CASES HE PROPOSES FOR THE US SO THAT WE MIGHT MAKE A SELECTION BEFORE ANNOUNCING ANYTHING PUBLICLY. CONSULAR SECTIONS IN RIO AND SAO PAULO COULD PROBABLY HANDLE THE LOAD, NEGOTIATING EACH CASE ON AN INDIVIDUAL BASIS, WITH MODERATE TDY ASSISTANCE AND TEMPORARY PRESENCE OF ONE INS SPECIALIST.

12. IF WE ARE REALLY CONCERNED ABOUT THE SITUATION OF REFUGEES IN BRAZIL, A LEGALISTIC DEMARCHE TO THE GOB REMINDING IT OF ITS OBLIGATIONS AS AN ASYLUM-RECEIVING COUNTRY UNDER THE CARACAS CONVENTION CAN ONLY BE COUNTER-PRODUCTIVE. MORE-OVER, AS DEPARTMENT IS AWARE AND AS EMBASSY STATED IN ITS 19777 BRASILIA 6311, THE ARGENTINE REFUGEE SITUATION IN BRAZIL IS A DELICATE MATTER, AND WE BELIEVE THAT GOB OFFICIALS SYMPATHETICALLY ADMINISTERING THE PROGRAM WOULD FIND THEIR FLEXIBILITY SERIOUSLY LIMITED IF THE

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USG WERE TO MAKE ANY SUCH DEMARCHE OR TO PUBLICLY ACCLAIM ANY PAROLE PROGRAM WE MIGHT UNDERTAKE AS A MAJOR HUMAN RIGHTS INITIATIVE. A DISCREET, ADEQUATELY STAFFED EFFORT IN CONJUNCTION WITH THE UNHCR STRIKES US AS THE MOST DESIRABLE WAY TO PROCEED SHOULD WE DECIDE TO GO FORWARD WITH A PAROLE PROGRAM. THIS WOULD BE THE TYPE OF APPROACH MOST LIKELY TO BUILD CONFIDENCE AMONG GOB OFFICIALS SYMPATHETIC TO REFUGEES' PLIGHT WHILE AT SAME TIME MINIMIZING LIKELIHOOD OF STRONG OPPOSITION TO PROGRAM FROM HARD-LINE ELEMENTS WITHIN THE GOB.

13. ONCE WE HAVE ESTABLISHED AN UNOBTRUSIVE PAROLE PROGRAM, DECIDED ON THE INDIVIDUALS WE WERE PREPARED TO ADMIT INTO THE US AND BEGUN TO MOVE SOME OF THEM INTO THE PIPELINE, WE COULD APPROACH SEVERAL OF THE OTHER FIFTEEN COUNTRIES CITED BY PRIM (AS HAVING ALREADY ACCEPTED REFUGEES) TO INQUIRE WHETHER THEY WOULD BE WILLING TO JOIN US IN A LOW-KEY EXPRESSION OF CONCERN TO THE GOB OVER BOTH THE CURRENT REFUGEE SITUATION IN BRAZIL AND ALLEGATIONS THAT BRAZILIAN AUTHORITIES HAD IN THE PAST REFUSED TO ADMIT SOME PERSONS SEEKING TERRITORIAL ASYLUM. THIS DISCREET
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PRESENTATION TO THE GOB TO IMPROVE ITS TREATMENT OF REFUGEES WOULD BE GREATLY STRENGTHENED BY THE FACT THAT ALL OF THE INTERLOCUTORS WERE WILLING TO AND IN FACT HAD ACCEPTED THIRD COUNTRY REFUGEES FROM BRAZIL. THUS, WE WOULD BE ABLE TO UNDERLINE OUR HUMANITARIAN CONCERN ABOUT THE REFUGEE SITUATION IN BRAZIL BY POINTING TO OUR CONCRETE ACTIONS IN HAVING RECEIVED REFUGEES IN ORDER TO ALLEVIATE PRESSING PERSONAL SITUATIONS, WHILE AT THE SAME TIME CONTRASTING THIS WITH BRAZIL'S LEGAL AND MORAL OBLIGATIONS AS AN ASYLUM-RECEIVING COUNTRY. THIS COURSE OF ACTION WOULD ENABLE US TO ACHIEVE THREE WORTHWHILE OBJECTIVES: (A) ACTUALLY ASSIST SOME OF THOSE REFUGEES MOST IN NEED OF HELP; (B) OFFER SUPPORT TO BOTH THE UNHCR IN ITS WORK AND THOSE GOB OFFICIALS WHO WOULD SINCERELY LIKE TO IMPROVE THE SITUATION OF REFUGEES IN BRAZIL; AND (C) CONSTRUCTIVELY REMIND THE GOB BY BOTH WORD AND DEED OF ITS OBLIGATIONS AND RESPONSIBILITIES TOWARD THOSE REFUGEES CURRENTLY IN BRAZIL AND THOSE WHO MIGHT WISH TO ENTER THE COUNTRY IN THE FUTURE. END COMMENT.

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